

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 2-5, 8-10, 12, 14-23, 26-28, 30, and 32-36 are currently presented by this amendment. Claims 1, 2, 5, 8-10, 12, 14-17, 19-20, 23, 26, 27, 30, and 32-35 are currently amended. Claims 6, 7, 11, 13, 24, 25, 29, and 31 are canceled without prejudice. The changes and additions to the claims do not add new matter and are supported by the originally filed specification.

In the outstanding Office Action, Claims 1-36 were rejected under 35 U.S.C. §112, first paragraph as failing to comply with the enablement requirement; Claims 1-36 were rejected under 35 U.S.C. §112, second paragraph as indefinite; Claims 1-5 and 20-23 were rejected under 35 U.S.C. §102(b) as anticipated by Nakagawa et al. (U.S. Patent No. 6,741,181, hereafter "Nakagawa"); and Claims 6-19 and 24-36 were rejected under 35 U.S.C. §103(a) as unpatentable over Nakagawa.

In view of the rejection of Claims 1-36 under 35 U.S.C. §112, first paragraph and second paragraph, Claims 1, 2, 5, 8, 9, 10, 12, 14, 15, 16, 17, 19, and 20 have been amended to remove means plus function language. Support for these changes can be found in the originally filed specification, for example on page 8, lines 27-28; page 14, lines 13-14; page 15, lines 8-10; page 15, lines 17-18; page 13, lines 25-26; page 13, line 11; page 16, lines 8-10; page 15, lines 23-25; page 27, lines 16-18; page 27, lines 7-8; page 15, lines 15-16; and page 16, lines 13-15. No new matter has been added. Therefore, Applicants respectfully submit these rejections be withdrawn.

In view of the rejection of Claims 7-18 and 25-36 under 35 U.S.C. §112, second paragraph, Claims 8-10, 12, 14-18, 26-28, 30, and 32-36, or their base claims, have been

amended to correct improper antecedent basis issues where necessary. No new matter has been added. Therefore, Applicants respectfully submit this rejection be withdrawn.

In view of the rejection of Claims 1-5 and 20-23 under 35 U.S.C. §102(b), and Claims 6-19 and 24-36 under 35 U.S.C. §103(a), independent Claim 1 has been amended to recite a decision unit configured to decide a result of the game before an entry time managed by a time management unit elapses, and a calculation unit configured to calculate a predetermined amount of money to pay to a user based on a determination by a determination unit before the entry time managed by the time management unit elapses. Independent Claim 19 has been amended to recite similar features as amended Claim 1. Support for these features can be found in the originally filed specification in original Claims 6 and 7. No new matter has been added.

Briefly recapitulating, amended Claim 1 is directed to a game execution system including a game controller configured to control a predetermined game, the game controller allowing the game to be executed between the game controller and a terminal according to an instruction from the terminal, a time management unit configured to advance an entry time in which a user can enter the game, a decision unit configured to decide a result of the game before the entry time managed by the time management unit elapses, a forecast information obtaining unit configured to obtain a forecast information including a forecast for the result of the game from the user before the entry time managed by the time management unit elapses, a determination unit configured to determine, based on the result decided by the decision unit and forecast information obtained by the forecast information obtaining unit, whether the result of the game agrees with the forecast or not, before the entry time managed by the time management unit elapses, and a calculation unit configured to calculate a predetermined amount of money to pay to the user based on the determination by the determination unit

before the entry time managed by the time management unit elapses. Claim 19 recites similar features to Claim 1.

In a non-limiting example, Fig. 1 shows the game execution system including a game controller 3 having a server 3A. Fig. 2 shows that server 3A has a lottery unit 14 that acts as the decision unit (see page 14, lines 13-15). In the example, the lottery unit 14 can select a winning racehorse from among racehorses to run in a competitive game before the entry time managed by the time management unit elapses (see page 15, lines 17-22). The result processing unit (see Fig. 2) acts as the calculation unit to calculate a predetermined amount of money to pay to a user based on a determination by the determination unit before the entry time managed by the time management unit elapses (see Fig. 16, lines 21-28, and Fig. 7, S27).

Advantageously, it is an object of the present invention to provide a game execution system and a game execution method capable of securely excluding a person (malicious user) who performs fraudulent manipulation for a server without imposing an excessive processing load on the server in order to improve the security of a game performed between the server and a client terminal (see page 3 lines 2-9).

Under the above example, since the game controller previously decides a racehorse to win a competitive game (a result of a game), the game controller can exclude a person trying to fraudulently decide a winning racehorse from an external terminal, so as to increase the authenticity of a result of the game (see page 4, lines 14-19). Further, since the game controller decides a racehorse to win a competitive game (a result of a game) within the entry time, the game controller can decide a game result of a game before the game is started, so as to secure the authenticity of the game result early (see page 4, line 27 to page 5, line 3). Furthermore, when determining that the forecasted winning racehorse included in the forecast information obtained from the user agrees with the winning racehorse decided by the decision

unit, the game controller can pay a predetermined amount of money (payoff) to the user, resultantly increasing the number of users to enter games. Then, a user, when his or her forecast is right, can get a predetermined payoff from the game controller, so as to enjoy a more heated competitive game to increase his or her money (see page 5, lines 13-22).

Turning to the applied art, Nakagawa discloses a competitive game simulation machine in which moving objects resembling racehorses, automobiles, bicycles or soccer players, for example, are caused to compete in running a simulated race on a playing area resembling a racing track or field (see col. 1, lines 7-11). More particularly Nakagawa relates to a course guide apparatus used for the aforementioned competitive game simulation machine (see col. 1, lines 11-14).

As acknowledge in the outstanding Office Action (see page 5, second to last paragraph), Nakagawa teaches the determination of the winning racehorse after the player wagers are placed, but fails to teach or suggest that the determination of the winning racehorse occurs during the same time frame in which players are allowed to enter the game.

However, the present invention expressly discloses that the determination of the winning racehorse during the same time frame in which players are allowed to enter the game provides advantages, is used for a particular purpose, and solves a stated problem. The present invention describes that “the game control means can decide a game result of a game before the game is started, so as to secure the authenticity of the game result early,” (see Specification at page 4, line 27 to page 5, line 3, and page 30, lines 16-21). That is, for example, it is possible to exclude a person trying to fraudulently decide a wining racehorse from an external terminal.

Therefore, as Nakagawa fails to teach or suggest the configuration of the present invention and above-mentioned advantages achieved under the configuration of the invention, and as Nakagawa teaches away from the configuration of the invention (i.e.

Nakagawa teaches the determination of the winning racehorse after the player wagers are placed), one of ordinary skill in the art would not be motivated to incorporate into Nakagawa a determination of the winning racehorse during the same time frame in which players are allowed to enter the game. The above-mentioned advantages of the present invention are valid regardless of whether or not the determined result is presented to the device players until after the time to place wagers has expired.

Further, Nakagawa fails to teach or suggest a calculation unit configured to calculate a predetermined amount of money to pay to the user based on the determination by the determination unit before the entry time managed by the time management unit elapses, as required by amended Claims 1 and 19. Accordingly, the device of Nakagawa cannot produce above-mentioned effects of the present invention.

Thus, it is respectfully submitted that amended Claims 1 and 19 (and all associated dependent claims) patentably define over Nakagawa.

Consequently, in light of the above discussion and in view of the present amendment, the outstanding grounds for rejection are believed to have been overcome. The present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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